



**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION**

YORK COUNTY, §
Plaintiff, §
§
vs. § CIVIL ACTION NO. 0:17-3406-MGL
§
SEHKMET RE EL, §
Defendant. §

**ORDER ADOPTING THE REPORT AND RECOMMENDATION
AND REMANDING THIS MATTER TO
THE YORK COUNTY COURT OF GENERAL SESSIONS**

Defendant sought to remove this state criminal case to this Court. He is proceeding pro se. The matter is before the Court for review of the Report and Recommendation (Report) of the United States Magistrate Judge suggesting this case be remanded to the York County Court of General Sessions. The Report was made in accordance with 28 U.S.C. § 636 and Local Civil Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270 (1976). The Court is charged with making a de novo determination of those portions of the Report to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

The Magistrate Judge filed the Report on January 24, 2018, and the Clerk of Court entered Defendant's objections on February 9, 2018. The Court has considered the objections, but holds them to be without merit. Therefore, it will enter judgment accordingly.

Defendant neglects to make any specific objections to the Report. In such a situation, it is unnecessary for the Court to conduct a de novo review inasmuch as Defendant's general and conclusory objections fail to direct the Court to any specific error or errors in the Report. *See Orpiano v. Johnson*, 687 F.2d 44, 47–48 (4th Cir. 1982) (The district court is required to review de novo only those portions of the Report to which specific objections have been made and need not conduct de novo review “when a party makes general and conclusory objections that do not direct the [C]ourt to a specific error in the [Report].”).

Nevertheless, in an abundance of caution, the Court has made a de novo review of the entire record, but has located no error. Because the Court agrees with the well-reasoned discussion by the Magistrate Judge, it declines to address the relevant issues a second time here.

Therefore, after a thorough review of the Report and the record in this case pursuant to the standards set forth above, the Court overrules Defendant's objections, adopts the Report, and incorporates it herein. Therefore, it is the judgment of this Court the matter is **REMANDED** to the York County Court of General Sessions. Defendant's requests to stay the action and for recusal are, thus, **RENDERED AS MOOT**.

IT IS SO ORDERED.

Signed this 12th day of February, 2018, in Columbia, South Carolina.

s/ Mary Geiger Lewis
MARY GEIGER LEWIS
UNITED STATES DISTRICT JUDGE

NOTICE OF RIGHT TO APPEAL

Defendant is hereby notified of the right to appeal this Order within thirty days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.